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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,695	03/29/2004	Tiziano Tanaglia	251115US0X	1210
22850	7590	04/19/2007		EXAMINER
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				NUTTER, NATHAN M
			ART UNIT	PAPER NUMBER
				1711
SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE		DELIVERY MODE	
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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601810695

EXAMINER

ART UNIT PAPER

20070415

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Nathan M. Nutter
Primary Examiner
Art Unit: 1711

DETAILED ACTION

Newly submitted claims 1-19 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

The originally claimed and elected invention to which applicants have received an Office Action is drawn to a resin composition classified in class 525, subclass 193.

The claims, as presented in the amendment of 16 February 2007 would be properly restrictable, as follows, under 35 U.S.C. 121:

- I. Claims 1 and 6-19, drawn to a filled resin composition, classified in class 524, subclasses 401, 433, 442, 447, 451, etc..
- II. Claims 2-5, drawn to a filled resin blend, classified in class 524, subclasses 500, 502, 515, etc..

The inventions are independent or distinct, each from the other because:

Inventions of Group I and of the already examined claims are related as mutually exclusive species in an intermediate-final product relationship. Distinctness is proven for claims in this relationship if the intermediate product is useful to make other than the final product, and the species are patentably distinct (MPEP § 806.05(j)). In the instant case, the intermediate product is deemed to be useful as a molding composition and the inventions are deemed patentably distinct because there is nothing on this record to show them to be obvious variants.

Inventions of Group II and of the already examined claims are related as mutually exclusive species in an intermediate-final product relationship. Distinctness is proven for claims in this relationship if the intermediate product is useful to make other than the

final product, and the species are patentably distinct (MPEP § 806.05(j)). In the instant case, the intermediate product is deemed to be useful as a molding composition and the inventions are deemed patentably distinct because there is nothing on this record to show them to be obvious variants.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 1-19 are withdrawn from consideration as being directed to non-elected inventions. See 37 CFR 1.142(b) and MPEP § 821.03.

As such, there are no pending claims. applicants must correct the deficiencies set out above to avoid abandonment of the instant application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan M. Nutter whose telephone number is 571-272-1076. The examiner can normally be reached on 9:30 a.m.-6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James J. Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Nathan M. Nutter
Primary Examiner
Art Unit 1711

nmm

15 April 2007